

2622



GARDERE

attorneys and counselors ■ www.gardere.com

Writer's Direct Dial: 214-999-4487
Direct Fax: 214-999-3487
jfulmer@gardere.com

June 19, 2003

#5
TZ
11-6-03

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING	
I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on June 19, 2003.	
Elaine Johnson	
(Name of Person Mailing Document)	<i>Elaine Johnson</i>
(Signature)	<i>6-19-03</i>
(Date of Signature)	

Re: Inventor: Tim Mortensen
U.S. Patent Application Entitled: DOCUMENT PROCESSING USING COLOR MARKING
Serial No. 09/826,728
Filed: April 5, 2001
Our File No.: 120051-1006

RECEIVED

JUN 24 2003

Technology Center 2600

Dear Sir:

Enclosed for filing in connection with the above-referenced patent application are the following documents:

1. Information Disclosure Statement;
2. Form PTO 1449 with references; and
3. Return postcard.

Please file the above-referenced documents and return the date-stamped postcard to our office at the above address. It is believed that no additional fees are due. If this is incorrect, the Commissioner is hereby authorized to charge any fees due which may be required by this paper to Deposit Account No. 07-0153.

In the meantime, if you have any questions or comments concerning this matter, please call the undersigned at your earliest convenience. Otherwise, please accept the enclosed.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

Jason R. Fulmer
Reg. No. 46,715

JRF/mej

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

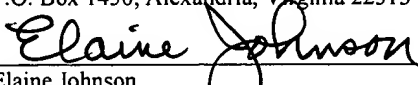
In re Application of: Tim Mortensen

Serial No.: 09/826,728

Filing Date: April 5, 2001

Examiner: TBD

Group No.: 2622

CERTIFICATE OF MAILING
Date of Deposit: June 19, 2003
I certify that the accompanying paper is being deposited with the United States Postal Service, as First Class Mail under 37 CFR 1.8, in an envelope with sufficient postage addressed to Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.
 Elaine Johnson

For: DOCUMENT PROCESSING USING COLOR MARKING

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED
JUN 24 2003
Technology Center 2600

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

As listed on the accompanying form PTO-1449, submitted herewith are copies of the indicated references which applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

IDENTIFICATION OF TIME OF FILING THE
INFORMATION DISCLOSURE STATEMENT

- ☐ This Information Disclosure Statement is being filed within three months of the filing date of the national application.
- ☐ This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- ☒ This Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits.
- ☐ This Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

Accompanying this transmittal is:

- ☐ a statement specified in 37 CFR § 1.97(e); or
- ☐ a fee set forth in 37 CFR § 1.17(p)
- ☐ This Information Disclosure Statement is being filed after the mailing date of a final action under § 1.113, or a notice of allowance under § 1.311 but before the payment of the issue fee.

Accompanying this transmittal is:

1. a statement as specified in 37 CFR § 1.97(e); and
2. a fee set forth in 37 CFR § 1.17(p)

STATEMENT FOR INFORMATION DISCLOSURE STATEMENT 37 CFR § 1.97(e)

(Only if Required Above)

I, the person(s) signing below hereby states that:

- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(1); or

- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application to the knowledge of the person signing the certification after making reasonably inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(2).

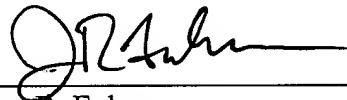
FEE PAYMENT

- ☐ attached is a check in the amount of \$ _____
- ☐ charge Deposit Account No. 07-0153 in the amount of \$ _____

Applicants believe no additional fees are due for the filing of this IDS. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 07-0153.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP



Jason R. Fulmer
Registration No. 46,715
Attorney for Applicants

Dated: June 19, 2003

GARDERE WYNNE SEWELL LLP
3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761
(214) 999-3000 - Telephone
(214) 999-4667 - Facsimile

PTO
JUN 23 2003
PATENT & TRADEMARK OFFICE

Please type a plus sign (+) inside this box → ☒

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

+

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	09/826,728
Sheet	1	Filing Date	04/05/01
	of	First Named Inventor	Tim Mortensen
	1	Group Art Unit	2622
		Examiner Name	
		Attorney Docket Number	120051-1006

RECEIVED JUN 24 2003 Technology Center 2600

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		3,938,088	340/146.3B	Clark	02/10/1976	
		4,479,242	382/17	Kurata	10/23/1984	
		4,538,182	358/280	Saito	08/27/1985	
		4,553,261	382/57	Froessl	11/12/1985	
		4,574,393	382/17	Blackwell	03/04/1986	
		4,577,235	358/280	Kannapell	03/18/1986	
		4,601,057	382/51	Tsuji	07/15/1986	
		4,724,309	235/468	Greene	02/09/1988	
		4,760,606	382/48	Lesnick	07/26/1988	
		4,812,904	358/107	Maring	03/14/1989	
		4,985,863	364/900	Fujisawa	01/15/1991	
		5,010,580	382/17	Vincent	04/23/1991	
		5,014,328	382/17	Rudak	05/07/1991	
		5,016,096	358/75	Matsunawa	05/14/1991	
		5,048,099	382/22	Lee	09/10/1991	
		5,048,109	382/52	Bloomberg	09/10/1991	
		5,138,465	358/153	Ng	08/11/1992	
		5,157,740	382/51	Klein	10/20/1992	
		5,280,367	358/462	Zuniga	01/18/1994	
		5,410,617	382/51	Kidd	04/23/1995	
		5,579,407	382/164	Murez	11/26/1996	
		5,621,816	382/63	Ruppert	04/15/1997	
		5,754,697	382/232	Fu	05/19/1998	
		5,761,338	382/176	Kasamatsu	06/02/1998	
		5,848,413	707/10	Wolff	12/08/1998	
		5,873,077	707/3	Kanoh	02/16/1999	
		6,009,195	382/175	Nakata	12/18/1999	
		6,028,956	382/156	Shustorovich	02/22/2000	
		6,035,059	382/164	Kurosawa	05/07/2000	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.